

andrew.bodoh@robertslaw.org

From: Siegmund, Heidi E. <HSiegmund@mcguirewoods.com>
Sent: Friday, November 18, 2022 4:31 PM
To: andrew.bodoh@robertslaw.org; Betts, E. Windsor
Cc: tom.roberts@robertslaw.org; ian@northonlaw.com; Oostdyk, Scott C.; Church, Cory M.
Subject: RE: Lamb v. Liberty - Document Production

Andrew,

We are working as diligently as possible on the privilege log. As we've discussed multiple times, Mr. Lamb's frequent communications with David Corry present a lot of difficult privilege questions and we want to make sure we get those right. In reviewing the documents, there are even more difficult calls than we anticipated, not less. We also did not know what we would be required to produce until Judge Ballou's Order on the 3rd, which obviously impacts our privilege review. If we complete it sooner, of course we will get it to you sooner, but we do not believe that date poses any prejudice to you given our August trial date.

On the audio files, specifically what I am concerned about, and what is not covered by our prior protective order, are recordings that contain student names or other personally identifiable information that is protected under FERPA. As you may know, even a court Order does not permit us to simply produce unredacted student records to you under FERPA regulations. We have discussed further with our technology support team and have determined that there should be a way to redact this information in the recordings so that we don't need a separate order and student/parent notification process. We will do this as promptly as possible and you should have those recordings before the holiday.

Thanks,
Heidi

Heidi E. Siegmund

Associate
McGuireWoods LLP
T: +1 804 775 1049 | M: +1 540 847 9531
hsiegmund@mcguirewoods.com

From: andrew.bodoh@robertslaw.org <andrew.bodoh@robertslaw.org>
Sent: Friday, November 18, 2022 8:57 AM
To: Betts, E. Windsor <EBetts@mcguirewoods.com>
Cc: tom.roberts@robertslaw.org; ian@northonlaw.com; Oostdyk, Scott C. <soostdyk@mcguirewoods.com>; Siegmund, Heidi E. <HSiegmund@mcguirewoods.com>; Church, Cory M. <CChurch@mcguirewoods.com>
Subject: Re: Lamb v. Liberty - Document Production

****EXTERNAL EMAIL; use caution with links and attachments****

Counsel -

We are not in agreement with the delay of the privilege log until December 15. You have promised us the privilege log months ago, and you told the Court you would complete the production by November 15.

Please advise why a new protective order would be necessary for audio files, as the current protective order already covers "private information."

-ATB

On 2022-11-17 20:03, Betts, E. Windsor wrote:

Counsel:

Within the next 30 minutes you will receive an email from McGuireWoods Sharefile from which you will be able to download documents with the following bates range:
LU003749 to LU005734.

We do have some audio files to produce, but would like to discuss a confidentiality agreement to cover Personally Identifiable Information as the audio files are not as easily "redacted" and would likely require an outside vendor to make such "redactions." Additionally, a privilege log will be produced to you by December 15.

If you have any issues downloading the documents, please let me know.

Thank you,

Windsor

E. Windsor Betts

Senior Paralegal
McGuireWoods LLP
Gateway Plaza
800 East Canal Street
Richmond, VA 23219-3916
T: +1 804 775 7153
M: +1 804 754 6086
F: +1 804 775 1061
ebetts@mcguirewoods.com
VCard | www.mcguirewoods.com



This e-mail from McGuireWoods may contain confidential or privileged information. If you are not the intended recipient, please advise by return e-mail and delete immediately without reading or forwarding to others.